

Application Serial No. 10/643,386  
Amendment dated September 15, 2005  
Reply to Office Action dated June 15, 2005

### **REMARKS/ARGUMENTS**

The preceding amendments and following remarks are submitted in response to the non-final Office Action mailed June 15, 2005. Claims 35 and 58-72 remain pending in the Application. Reconsideration, examination and allowance of all pending claims are respectfully requested.

#### **35 U.S.C. § 102(b) Rejection**

On page 2 of the Office Action, the Examiner rejected claims 35 and 57-72 under 35 U.S.C. § 102(b) as being anticipated by Chene et al. (U.S. Patent Pub. No. 2002/0096572A1). Independent claims 57 and 61 recite a configuring system including a portable configuring apparatus that may upload at least one configuration from the plurality of air management systems. Independent claim 59 recites a portable configuration device including a configuration up-loader that uploads configurations from air management controllers. Independent claim 60 recites a portable configuring apparatus including means for uploading configurations from the controllers and means for transferring configurations between controllers. Independent claims 58, 62 and 72 recite a configuring system including a portable configuring apparatus adapted to transfer a configuration of one air management system to another air management system. Chene et al. do not appear to teach such elements.

The Examiner asserts that Chene et al. teach a PDA connectable to each of a plurality of air management systems (HVAC systems for vehicles), uploading configurations to the PDA, modifying the configurations, and downloading the configurations to the air management systems. While Chene et al. teach inputting vehicle configurations to the PDA, Chene et al. do not appear to teach uploading configurations from the air management systems. Chene et al. teach "vehicle preferences that may be input by the operator using the character input screen 16, the buttons 18, or some other input device. Alternatively, the vehicle preferences may be input elsewhere and then downloaded to the PDA 12." See paragraph [0011]. Chene et al. then teach the PDA downloading the configurations to a vehicle. Chene et al. thus teach the user inputting the configuration information into the PDA, and using the PDA to download the configurations

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to a vehicle. The instant claims, however, recite a system that uploads configuration information from an air management system to the portable configuration apparatus. Chene et al. do not appear to teach such a system.

With regard to claims 60, 62, and 72, the Examiner asserts that Chene et al. disclose the configurations being transferable among the various vehicle air management systems, via the uploading and downloading steps. As stated above, Chene et al. do not appear to teach uploading configuration information from the vehicles, but rather teach the user inputting his desired configuration information into the PDA. Thus, while Chene et al. do teach downloading configuration information to various vehicles, they provide no teaching or suggestion of uploading configuration information from one vehicle and transferring that information to another vehicle. Applicants submit that the steps taught by Chene et al. of the user inputting configuration information into the PDA and then downloading that information to various vehicles does not read on the claimed systems and apparatus that upload information from one system and transfer that information to another system.

Regarding claim 70, the Examiner asserts that Chene et al. teach context based control tuning of the air management system in paragraph [0015], lines 8-18. This passage of Chene et al. recites:

The PDA 12 may include a temperature sensor 25 installed in the expansion port 24 for sensing the temperature in the area of the PDA 12. The PDA 12 may then be taken by the operator to the sleeping area 46 or any other portion of the vehicle cab 42 to better control of the climate in the area of the PDA and thus near the operator. The operator may set the desired temperature in the PDA 12, which would then be transmitted to a data link such as an infrared receiver 50. The HVAC unit 41 may then better control the climate in the area of the sleeping area 46.

Applicants submit that neither the above passage nor any other part of the Chene et al. publication discloses context dependent control loop tuning, as is recited in claim 70.

Regarding claim 71, the Examiner asserts that Chene et al. disclose the PDA being able to detect the configuration of the local air management systems via bus 30 and control module

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32, as described in paragraph [0013]. Applicants respectfully disagree. Claim 71 recites a configuring system with a portable configuring apparatus adapted to automatically detect the configuration of each local air management controller when connected thereto. Chene et al. teach, in paragraph [0013], that vehicles commonly include a communications bus 30 to permit communication with the vehicle's accessory control modules 32 and any other control modules in the vehicle. Chene et al. also teach that the operator may connect the PDA to the vehicle communications bus 30 or other data link to download his individualized vehicle preferences at the beginning of his shift. Chene et al. do not, however, teach the PDA automatically detecting the configuration of the vehicle. Applicants submit that the ability of Chene et al.'s PDA to download configuration information to the vehicle does not anticipate the claimed element of a portable configuring apparatus being adapted to automatically detect the configuration of the local air management controller when connected thereto.

Additionally, there is no motivation, suggestion or guidance in Chene et al. for one of ordinary skill in the art to modify the PDA device of Chene et al. to be configured to upload configuration information from an air management system and transfer that configuration information to another air management system. The purpose of the Chene et al. PDA system is to store a driver's vehicle preferences and parameters and to download those preferences and parameters to whichever vehicle the driver is currently operating. Because the information saved on the PDA is specific to the driver, there would be no motivation for Chene et al. to transfer configurations from one vehicle to another vehicle.


Chene et al. do not teach or suggest each and every element of the independent claims or claims dependent thereon. Reconsideration and withdrawal of the rejection are respectfully requested.

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Reexamination and reconsideration are respectfully requested. It is respectfully submitted that the claims are now in condition for allowance, issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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